

Kindly amend the specification as follows:

Page 13, line 5: please delete "1394" and substitute therefor --1426--.

Page 13, line 7: please delete "99 to 101" and substitute therefor --130 to 132-

Page 13, lines 7-8: please delete "1248 to 1250" and substitute therefor --1282 to 1284--.

Page 13, line 10: please delete "99 to 1250" and substitute therefor --130 to 1284--.

Page 13, lines 10-11: please delete "1 to 98 and 1251 to 1394" and substitute therefor --1 to 129 and 1285 to 1426--.

Page 13, line 13: please delete "383" and substitute therefor --384--.

Page 13, lines 14-15: please delete "99 to 1250" and substitute therefor --130 to 1284--.

Page 36, line 8: please delete "1394" and substitute therefor --1426--.

Page 36, lines 10: please delete "99 to 101" and substitute therefor --130 to 132--and delete "1248 to 1250" and substitute therefor --1282 to 1284--.

Page 36, line 13: please delete "99 to 1250" and substitute therefor --130 to 1284--and delete "1 to 98 and 1251 to 1394" and substitute therefor --1 to 129 and 1285 to 1426--.

Page 36, lines 21: please delete "both"; after "nucleotide" insert --level--; and after "and" insert --90% at the--.

Page 36, line 22: please delete "levels" and insert --level--.

#### Remarks

This case is a divisional application under 37 CFR §1.53(b).

Claim 9 has been amended to recite oil obtained from the seeds of a soybean plant having a chimeric gene comprising a nucleic acid fragment encoding a fatty acid desaturase with an amino acid identity of 50% or greater to the polypeptide encoded by any one of the sequences set forth in SEQ ID NOS: 1, 3, 5, 7, 9, 11 or 15. Support for this clarification can be found in the specification on pages 44 - 48 and in the claims as originally filed. Thus, no new matter has been added.

Claim 10 has been clarified by replacing the term "unsaturated" with --hydroxylated and it has been rewritten to be in independent form. Support for the term "hydroxylated" can be found in the specification on page 9 at lines 8-18 of the specification. Thus, no new matter has been added.

Claims 15, 16, 18, 19 and 20 have been amended by reciting alternate hybridization conditions. Support for the three different sets of alternative hybridization and wash conditions can be found in the specification on page 35 at lines 27-32, on page 70, on page 73 at lines 5-11 and on pages 74 and 75. Thus, no new matter has been added.

New claims 28 - 59 have been added.

Claim 28 is similar to original claim 10 except that it is written in independent form.

Support for claim 30 can be found in the specification on pages 44-48 and in Example 3.

Support for claims 31, 32, 34 can be found in the specification on pages 44-48 and, in particular, on page 46.

Support for claim 33 can be found in claim 1 as originally filed and in the specification on pages 54-55.

Support for claim 35 can be found in claim 3 as originally filed.

Support for claims 37-39 can be found throughout the specification and claims as originally filed.

Support for claim 40 can be found in claim 10 as originally filed.

Support for claim 41 can be found on page 6 of the specification.

Support for claim 42 can be found in Table 7 on pages 47 and 48 of the specification and on page 35 at lines 27-32, on page 70, on page 73 at lines 5-11 and on pages 74 and 75.

Support for claims 43-56 can be found in the specification and claims as originally filed.

Support for claims 57-59 can be found in the specification in Table 13A on page 100-119.

Thus, it can be seen that no new matter has been added.

Substituted herewith pursuant to 37 CFR §1.825(a) are substitute sheets for the sequence listing provided as set forth in 37 CFR §1.821 (c). These sheets and a substitute copy of the computer readable form are enclosed herewith. The computer readable form corresponds identically to the substitute sequence listing pages submitted with this response. Support for this amendment can be found in the specification.

Specifically, the sequence listings are the same except for SEQ ID NOS: 3 and 4 which are being clarified due to sequencing errors. Support for this clarification can be found on page 36 at lines 24-27 which shows that the material has now been correctly sequenced, pCF2-165D, and was deposited with the ATCC on October 16,

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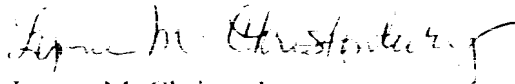
1992 under the provisions of the Budapest Treaty and bears accession number ATCC 69094. Accordingly, no new matter has been added.

The clarifications in the specification were necessitated due to the clarifications in the sequence listings.

Enclosed herewith along with this Preliminary Amendment is an Information Disclosure Statement setting forth all references which had been cited by Applicants or the Examiner in connection with Serial No. 09/133,912 and some additional information as well as a petition for a three (3) month extension of time. Also, a copy of U.S. Patent No. 5,534,425 which issued to Fehr et al. on July 9, 1996 accompanies this preliminary amendment.

Please charge any fees or credit any overpayment of fees which are required in connection with the filing of this Preliminary Amendment, Information Disclosure Statement and Petition for Extension of Time to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



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Enclosures